UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

VALERIE OBENAUF,

Plaintiff,

v.   **Case No. 13-C-355**

CAROLYN W. COLVIN,
Acting Commissioner of the Social Security
Administration,

Defendant.

DECISION AND ORDER

Pursuant to 42 U.S.C. § 405(g), the pro se Plaintiff, Valerie Obenauf ("Obenauf"),

filed an action for judicial review of the final decision of the Acting Commissioner of the Social

Security Administration denying her applications for Social Security disability insurance

benefits and supplemental security income ("SSI") for lack of disability. Obenauf also filed a

petition for leave to proceed *in forma pauperis* in this action.

In order to authorize a litigant to proceed *in forma pauperis*, the Court must make

two determinations: 1) whether the litigant is unable to pay the costs of commencing the action;

and, 2) whether the action is frivolous, malicious, fails to state a claim on which relief may be

granted, or seeks monetary relief against a defendant who is immune from such relief. 28

U.S.C. §§ 1915(a)(1) & (e)(2).

Obenauf's petition and affidavit to proceed *in forma pauperis* state that she is not

employed, is not married, and has no legal dependents. Other than a 1995 Ford Taurus station

wagon that she estimates is worth $500.00, she does not own any stocks, bonds, notes, or other valuable property (excluding clothing and ordinary household items). Obenauf lives in her brothers' home and relies upon them to cover her expenses.

Based on the information provided, the Court concludes Obenauf satisfies the requirements of § 1915. She is unable to pay the costs of commencing this action, and the action states a claim on which relief may be granted and does not appear to be frivolous or malicious.

NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY ORDERED THAT:

Obenauf's petition for leave to proceed *in forma pauperis* (ECF No. 3) is **GRANTED.**

Dated at Milwaukee, Wisconsin this 8th day of May, 2013.

BY THE COURT

Hon. Rudolph T. Randa
U.S. District Judge